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November 23, 2022

Via ECF

The Honorable Lewis J. Liman
United States District Judge
United States District Court
500 Pearl St.
New York, New York 10007

Re: Sukana, et al. v. The City of New York, et al.
21-CV-10899 (LJL)(BM)

Your Honor:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the City of New York, Bill De Blasio, Terence Monahan, Dermot Shea, Kenneth Lehr, Kenneth Rice, Dacia Webb, Robert Gallitelli, Harry Wedin, John D'Adamo, Gerard Dowling, and Julio Delgado. Defendant writes respectfully to request a *nunc pro tunc* extension of its time to answer the First Amended Complaint from August 12, 2022¹ to November 23, 2022. This is the first request for an extension of time to respond to the First Amended Complaint, and there are no scheduled conferences that will be affected by this proposed extension. Plaintiffs Counsel consents to this request.

As a threshold matter, we profusely apologize to the Court and to Counsel for the delay in filing defendants' answer. Our delay was inadvertent, not willful, or done in bad faith. Because this situation arose due to an inadvertency on my part, it is sincerely requested that the defendants not be penalized.

We thank the Court for its consideration, apologize to the Court and to plaintiffs for any inconvenience, and request that the Court allow defendants to file the attached answer.

¹ Defendants note that the date for Defendants Webb, Delgado, Wedin, D'Adamo, Dowling, and Gallitelli to respond to the First Amended Complaint was 11/10/2022. (ECF No. 29)

Respectfully submitted,

/s/ Michael Viviano

Michael Viviano
Assistant Corporation Counsel

cc: **Via ECF/with attachment**

Elena Cohen, Esq.